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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
TAN, ALVIN H	

ART UNIT	PAPER NUMBER
2173	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/616,108	DAVIS, MARK	
	Examiner	Art Unit	
	Alvin H. Tan	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 September 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,4-14,16-22 and 24-28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1, 2, 4-14, 16-22, 24-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Remarks

1. This Office action is responsive to the Request for Continued Examination (RCE) filed under 37 CFR §1.53(d) for the instant application on 10/22/07. Applicants have properly set forth the RCE, which has been entered into the application, and an examination on the merits follows herewith.

Claims 1, 2, 4-14, 16-22, and 24-28 have been examined and rejected. This Office action is responsive to the amendment filed on 9/20/07, which has been entered in the above identified application.

Claim Objections

2. The corrections to claims 4, 16, and 24 have been approved, and the objections to the claims are withdrawn.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1, 2, 4-14, 16-22, and 24-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vander Veen et al. (US Patent Application Publication # 2003/0228863 A1) in view of Branson (U.S. Patent No. 6,819,304 B2).

Claims 1, 2, 4-9 (Device)

Claims 21, 22, 24-28 (Method)

4-1. As to independent claims 1 and 21, Vander Veen et al. teach a device for issuing commands to a remote system, said device comprising:

- a memory (flash memory 224) for
  - storing a plurality of translations (on database 406),
    - each translating between a common plurality of functions and custom signals for implementing said common plurality of functions on a respective remote system (i.e. see Table 4);
- a selector for selecting a particular translation of said plurality of translations for a particular remote system (database 406, see [0049]);
- a display screen (display 222) for
  - displaying on-screen icons representing said common plurality of functions (control bar 1506, Fig. 15 and 16)
    - wherein said on-screen icons comprise respective text corresponding to said common plurality of functions (i.e. one of ordinary skill in the art can use text or graphical icons interchangeably for the GUI controls, see [0074]); and
- a processor (microprocessor 238) for
  - responding to a selected on-screen icon associated with a selected common function (see [0079]),
  - obtaining a custom signal from said particular translation corresponding to said selected common function (from database 406) and
  - issuing said custom signal to said particular remote system (i.e. sent as DTMF tones, see [0048]).

Vander Veen et al. does not expressly teach wherein said display screen is configurable between a first viewable physical size configuration and a second, larger,

viewable physical size configuration, the first viewable physical size configuration displays a first set of on-screen icons and the second viewable physical size configuration displays a second, larger, set of on-screen icons that include said first set of on-screen icons. Branson teaches an adjustable display screen such that data displayed on the display screen is adjusted according to the size of the display *[column 2, lines 23-36]*. The physical size of the display screen may be modified by adding or removing portions *[column 3, lines 42-55]*. Adjustments to the data include changing the amount of data displayed in a display area when the size of the display area is changed, such as cutting out whatever image was being displayed on a removed portion *[column 8, line 60 to column 9, line 20]*. Using the adjustable display screen would allow a user to flexibly select the size of a display area while maintaining the portability of the device. Since Cowart teaches user interfaces of mobile communication devices, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to include the use of the adjustable display screen, as taught by Branson. Using the adjustable display screen with the data adjustments of Branson on the interface of Vander Veen *[such as Vander Veen, figure 15]* would allow for a full set of icons to be displayed when all of the portions of the display screen are unfolded or attached, and displaying only some of the icons when portions of the display screen containing the icons are folded or removed. This would allow a user to flexibly select the size of a display area while maintaining the portability of the device.

4-2. As to claims 2 and 22, Vander Veen et al. and Branson teach a device as described in Claims 1 and 21, respectively, wherein said particular remote system is a remote voicemail system (i.e. the message is stored remotely from the device on unified messaging notification system 312 or 332 of Vander Veen) and wherein said particular custom signals cause navigation through said remote voicemail system (see Vander Veen, [0049]).

4-3. As to claims 4 and 24, Vander Veen et al. in view of Branson teach a device as described in Claims 1 and 21, respectively, wherein a first plurality of icons are displayed on said display screen when in said first viewable physical size configuration and wherein a second plurality of icons are displayed on said display screen when in said second viewable physical size configuration, by disclosing that adjustments to the data based on screen size include changing the amount of data displayed in a display area when the size of the display area is changed, such as cutting out whatever image was being displayed on a removed portion *[Branson, column 8, line 60 to column 9, line 20]*.

4-4. As to claims 5 and 25, Vander Veen et al. in view of Branson teach a device as described in Claims 4 and 24, respectively, wherein said first plurality of icons correspond to basic common functions and wherein said second plurality of icons correspond to extended common functions that include said basic common functions, by disclosing that adjustments to the data based on screen size include changing the

amount of data displayed in a display area when the size of the display area is changed, such as cutting out whatever image was being displayed on a removed portion *[Branson, column 8, line 60 to column 9, line 20]*. Thus, a portion of the display screen containing extended common functions may be removed and added back on to the interface.

4-5. As to claims 6 and 26, Vander Veen et al. and Branson teach a device as described in Claims 1 and 22, respectively, wherein said on-screen icons appear as phone key images, each key image comprising a respective text label that is associated with a respective common function (control bar 1506, Fig. 15 and 16, also note, one of ordinary skill in the art can use text or graphical icons interchangeably for the GUI controls, see Vander Veen, [0074]).

4-6. As to claim 7, Vander Veen et al. and Branson teach a device as described in Claim 1 wherein said selector is a memory cell containing data therein (i.e. database 406 stored on flash memory 224 in Vander Veen).

4-7. As to claims 8 and 27, Vander Veen et al. and Branson teach a device as described in Claims 1 and 22, respectively, wherein said custom signals are dial tone signals (i.e. DTMF tones, see Vander Veen, [0048]).

4-8. As to claims 9 and 28, Vander Veen et al. and Branson teach a device as described in Claims 1 and 22, respectively, wherein said custom signal corresponding to said selected custom function is wirelessly communicated (i.e. see Vander Veen, [0035]) to said remote system (i.e. see Vander Veen, [0044] and [0046]).

Claims 10-14, 16-20

4-9. As to independent claim 10, Vander Veen et al. teach a device for issuing commands to a voicemail system, said device comprising:

- a memory (flash memory 224) for
  - storing a first translation (on database 406)
    - between a common plurality of functions and first custom signals for implementing said common plurality of functions on a first voicemail system, said first custom signals for causing voicemail navigation through said first voicemail system (i.e. see Table 4);
- a display screen (display 222) for
  - displaying on-screen icons representing said common plurality of functions (control bar 1506, Fig. 15 and 16)
    - wherein said on-screen icons comprise respective text corresponding to said common plurality of functions (i.e. one of ordinary skill in the art can use text or graphical icons interchangeably for the GUI controls, see [0074]); and
- a processor (microprocessor 238) for
  - responding to a selected on-screen icon associated with a selected common function (see [0079]),
  - obtaining a custom signal from said first translation corresponding to said selected common function (from database 406) and
  - issuing said custom signal to said first voicemail system (i.e. sent as DTMF tones, see [0048]).

Vander Veen et al. does not expressly teach wherein said display screen is configurable between a first viewable physical size configuration and a second, larger, viewable physical size configuration, the first viewable physical size configuration

displays a first set of on-screen icons and the second viewable physical size configuration displays a second, larger, set of on-screen icons that include said first set of on-screen icons. Branson teaches an adjustable display screen such that data displayed on the display screen is adjusted according to the size of the display *[column 2, lines 23-36]*. The physical size of the display screen may be modified by adding or removing portions *[column 3, lines 42-55]*. Adjustments to the data include changing the amount of data displayed in a display area when the size of the display area is changed, such as cutting out whatever image was being displayed on a removed portion *[column 8, line 60 to column 9, line 20]*. Using the adjustable display screen would allow a user to flexibly select the size of a display area while maintaining the portability of the device. Since Cowart teaches user interfaces of mobile communication devices, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to include the use of the adjustable display screen, as taught by Branson. Using the adjustable display screen with the data adjustments of Branson on the interface of Vander Veen *[such as Vander Veen, figure 15]* would allow for a full set of icons to be displayed when all of the portions of the display screen are unfolded or attached, and displaying only some of the icons when portions of the display screen containing the icons are folded or removed. This would allow a user to flexibly select the size of a display area while maintaining the portability of the device.

4-10. As to claim 11, Vander Veen et al. and Branson teach a device as described in Claim 10 wherein said memory further comprises a second translation between said

common plurality of functions and second custom signals for implementing said common plurality of functions on a second voicemail system, said second custom signals for causing voicemail navigation through said second voicemail system (i.e. data base 406 provides different command sets for different voicemail system protocols, see Vander Veen, [0049]).

4-11. As to claim 12, Vander Veen et al. and Branson teach a device as described in Claim 11 wherein said memory further comprises a third translation between said common plurality of functions and third custom signals for implementing said common plurality of functions on a third voicemail system, said third custom signals for causing voicemail navigation through said third voicemail system (i.e. data base 406 sets out different command sets for different voicemail system protocols, note that this system limited in number of voicemail systems, see Vander Veen, [0049]).

4-12. As to claim 13, Vander Veen et al. and Branson teach a device as described in Claim 11 further comprising a selector for selecting between said first and second translations of said memory (database 406, see Vander Veen, [0049]).

4-13. As to claim 14, Vander Veen et al. and Branson teach a device as described in Claim 12 further comprising a selector for selecting between said first, second and third translations of said memory (i.e. database 406 hold appropriate information for each voicemail system, see Vander Veen, [0049]).

4-14. As to claim 16, Vander Veen et al. in view of Branson teach a device as described in Claim 10, respectively, wherein a first plurality of icons are displayed on said display screen when in said first viewable physical size configuration and wherein a second plurality of icons are displayed on said display screen when in said second viewable physical size configuration, by disclosing that adjustments to the data based on screen size include changing the amount of data displayed in a display area when the size of the display area is changed, such as cutting out whatever image was being displayed on a removed portion *[Branson, column 8, line 60 to column 9, line 20]*.

4-15. As to claim 17, Vander Veen et al. in view of Branson teach a device as described in Claim 16, respectively, wherein said first plurality of icons correspond to basic common functions and wherein said second plurality of icons correspond to extended common functions that include said basic common functions, by disclosing that adjustments to the data based on screen size include changing the amount of data displayed in a display area when the size of the display area is changed, such as cutting out whatever image was being displayed on a removed portion *[Branson, column 8, line 60 to column 9, line 20]*. Thus, a portion of the display screen containing extended common functions may be removed and added back on to the interface.

4-16. As to claim 18, Vander Veen et al. and Branson teach a device as described in Claim 10 wherein said on-screen icons appear as phone key images, each key image

comprising a respective text label that is associated with a respective common function (control bar 1506, Fig. 15 and 16, also note, one of ordinary skill in the art can use text or graphical icons interchangeably for the GUI controls, see Vander Veen, [0074]).

4-17. As to claim 19, Vander Veen et al. and Branson teach a device as described in Claim 10 wherein said first custom signals are dial tone signals (i.e. DTMF tones, see Vander Veen, [0048]).

4-18. As to claim 20, Vander Veen et al. and Branson teach a device as described in Claim 19 wherein said custom signal corresponding to said selected custom function is wirelessly communicated (i.e. see Vander Veen, [0035]) to said first voicemail system and wherein said first voicemail system is a remote voicemail (i.e. see Vander Veen, [0044] and [0046]).

Response to Arguments

5. The Examiner acknowledges the Applicant's amendments to claims 1, 4, 10, 16, 21, and 24. Regarding independent claims 1, 10, and 21, the Applicant alleges that Cowart (Mastering Windows 95 – The Windows 95 Bible), as described in the previous Office action, does not explicitly teach, "a display screen that is configurable between a first viewable physical size configuration and a second, larger, viewable physical size configuration for displaying on-screen icons" such that "the first viewable physical size configuration displays a first set of on-screen icons and the second viewable physical

size configuration displays a second, larger, set of on-screen icons that includes said first set of on-screen icons", as has been amended to the claims. Examiner has therefore rejected independent claims 1, 10, and 21 under 35 U.S.C § 103 as being unpatentable over Vander Veen et al. (US Patent Application Publication # 2003/0228863 A1) in view of Branson (U.S. Patent No. 6,819,304 B2). See sections 4-1 and 4-9.

Applicant states that dependent claims 2, 4-9, 11-14, 16-20, 22, and 24-28 recite all the limitations of the independent claims, and thus, are allowable in view of the remarks set forth regarding independently amended claims 1, 10, and 21. However, as discussed above, Vander Veen and Branson are considered to teach claims 1, 10, and 21, and consequently, claims 2, 4-9, 11-14, 16-20, 22, and 24-28 are rejected.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alvin H. Tan whose telephone number is 571-272-8595. The examiner can normally be reached on Mon-Fri 10:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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